

**City of Grove City
BOARD OF ZONING APPEALS
MEETING MINUTES
FOR: Monday, March 24, 2014**

Regular Meeting

Board Member Kelly Reisling called the Board of Zoning Appeals regular meeting to order at 7:05 p.m. at the Grove City Municipal Building, 4035 Broadway.

Roll was called and the following members were present:

John Brant

Kelly Reisling

George Holinga

Staff present: Chief Building Official Mike Boso, Attorney Yazan Ashrawi of Frost, Brown and Todd for Director of Law Stephen Smith, Planning and Zoning Coordinator Laura Scott.

Also present; Larry Corbin, the applicant with representatives Dennis Fuller, Randy Nester and Mr. Lubec. Area residents Jill and Curt Evans of 4965 Apple Glen Trail.

- 1) All representatives addressing the Board were sworn in at this time.
- 2) Ms. Reisling moved to approve the minutes of the previous meeting as written; seconded by Mr. Brant.

VOTE: Brant, YES; Reisling, YES, Holinga, YES - **APPROVED**

The Chair moved into the agenda items.

Hear the appeal of Larry Corbin, property owner, 5000 Old Haughn Rd. for a variance to Section 1135.10 to allow planting on a residentially zoned (SF-1) lot.

Mr. Corbin addressed the board. He has five plus acres he would like to plant because it currently takes him 5-6 hours per week to mow it. He would like to allow a couple of local farmers to farm the property. They are in attendance to answer questions about types of crops to be planted and the types of fertilizers and pesticides used.

Ms. Reisling asked Mr. Fuller and Mr. Lubin to speak. They explained they intend to plant soy beans then corn on a rotation basis. Mr. Brant asked how often fertilizers and pesticides will be used indicating that the board had received a couple of letters from area residents concerned about chemicals used in agriculture. Fuller indicated they do not use fertilizer on soybeans but would use standard chemicals available to the public such as Round-Up and 24-D which are weed killers, once or twice a year. Treatments will be completed by a licensed professional such as Agricultural Services and in accordance with EPA regulations.

Mr. Brant asked legal counsel Mr. Ashrawi if he was aware of any city ordinances that would prohibit the use of pesticides or fertilizer in Grove City. Mr. Ashrawi stated he is not aware of any prohibition of this kind for agricultural purposes when following EPA, state and federal guidelines.

Mr. Holinga asked about crop rotation and the length of the agreement to farm the lot. Mr. Corbin explained that the time period had not been determined and that they have no agreement other than a handshake. Together, Fuller and Lubin estimated they farm about 132 acres and have been farming for about 25 years in and around the Grove City area.

Mr. Corbin indicated the farmers will sell what they grow, bring their farming equipment in from Haughn Rd. and would not have any buildings or storage on the lot.

Ms. Reisling invited Curt Evans, a condo owner in Haughn Glen to speak. Mr. Evans read a letter stating he and his wife oppose the variance due to potential adverse health effects from exposure to agricultural toxins from fertilizers, insecticides, herbicides, pesticides, etc. When they bought their condo a year ago, Fischer homes assured them the lot was zoned residential. Had they known it could be used for farmland, they would not have purchased it. He indicated he and his wife both have health problems. His wife has COPD and brought a statement written by a nurse from her doctor's office. Both documents were submitted to the chair.

Mrs. Evans spoke next stating she was speaking out to protect the health and safety of her family and her neighbors. She has concerns about chemicals used to treat lawns and farms. She does not allow the lawn care company to spray around her home. She believes these treatments are hazardous because the lawn care people put flags in the ground suggesting pets stay off the grass. She and Curt enjoy looking at the Corbin lot as it exists now because of the trees and the wildlife.

Randy Nester, representing Larry Corbin and area farmers submitted a document to the chair from Agricultural Services showing a typical field treatment for a 5 acre plot. Nester explained the chemicals are applied by a boom sprayer, 4-5 feet from the ground, by a licensed professional trained and regulated by the EPA. Treatments may not be applied in windy conditions by law and have an additive that helps it to fall straight down and adhere to the crops.

Mr. Nester asked Mr. Boso if he had ever received complaints from residents abutting farmland that the spray had killed or damaged grass or trees. Mr. Boso said he had no such complaint in 22 years. Mr. Brant stated everyone in his neighborhood has their lawn treated by a company like Scotts lawn service or they apply the 4 step program themselves. Ms. Reisling asked how run-off is controlled. Mr. Nester indicated there are two additives used to help the chemical stick to the leaf so run-off is controlled by contact.

Mr. Brant asked about the distance between the Evans' condo and the Corbin property. Mr. Evans estimated it at 10 yards or roughly 30 feet. He added the wind howls, blowing hard from the south to his property. He spoke in detail about his health problems.

Motion was made by Ms. Reisling to grant appeal to section 1135.10 of Grove City's Codified Ordinances to allow planting on a residentially zoned (SF-1) lot. Seconded by Mr. Holinga.

VOTE: Holinga, YES; Reisling, YES; Brant, YES. **APPROVED.**

Ms. Reisling advised the applicant the appeal is granted however there is a 21-day period during which the board's approval of variances may be appealed to City Council.

Ms. Reisling moved to new business. She acknowledged a proposed revision from staff to amend the deadline to file a variance by moving the date back one week, to lengthen the process. This will give staff (and board) more time to complete their due diligence. If approved, the schedule will go into effect for the May 27th meeting. The item was discussed by the board and staff.


Motion was made by Mr. Brant to accept staff's modification to the appeal dates giving staff time to give public notice. Mr. Holinga seconded.

VOTE: Reisling, YES; Brant, YES; Holinga, YES. APPROVED.

Motion was made by Ms. Reisling and seconded by Mr. Brant to adjourn at 7:55pm.

VOTE: Brant, YES; Holinga, YES; Reisling, YES. APPROVED.

Adjournment.



Kelly Reisling, Board Member



Laura Scott, Secretary